

No. 14-1418
Vide 14-1453, 14-1505, 15-105,15-119,15-191,15-35

Title:	David A. Zubik, et al., Petitioners
	v.
	Sylvia Burwell, Secretary of Health and Human Services, et al.
Docketed:	June 2, 2015
Linked with 14A1065	
Lower Ct:	United States Court of Appeals for the Third Circuit
Case Nos.:	(14-1376, 14-1377)
Decision Date:	February 11, 2015
Rehearing Denied:	April 6, 2015

Questions Presented

--Date---	------Proceedings and Orders----------
Apr 15 2015	Application (14A1065) to recall and stay mandate pending the filing and disposition of a petition for a writ of certiorari, submitted to Justice Alito.
Apr 15 2015	UPON CONSIDERATION of the application of counsel for the applicants, IT IS ORDERED that the mandate of the United States Court of Appeals for the Third Circuit, case Nos. 14-1376 & 14-1377, issued April15, 2015, is hereby recalled and stayed pending receipt of a response, due on or before April20, 2015, and further order of the undersigned or of the Court.
Apr 20 2015	Response to application from respondent Sylvia Burwell, Secretary of Health and Human Services, et al. filed.
Apr 21 2015	Reply of applicant David A. Zubik, et al. filed.
May 21 2015	Letter dated May 21, 2015, from counsel for respondent received.
May 29, 2015	Petition for a writ of certiorari filed. (Response due July 2, 2015)
Jun 23 2015	Letter dated June 23, 2015, from counsel for respondent received.
Jun 29 2015	Application (14A1065) referred to the Court.
Jun 29 2015	The application for an order recalling and staying the issuance of the mandate of the Court of Appeals pending the filing and disposition of a petition for a writ of certiorari, having been submitted to Justice Alito and by him referred to the Court, the application as presented is denied. The Court furthermore orders: If the applicants ensure that the Secretary of Health and Human Services is in possession of all information necessary to verify applicants+ eligibility under 26 CFR.54.9815-2713A(a) or 29 CFR 2590. 715-2713A(a) or 45 CFR.147.131(b) (as applicable), the respondents are enjoined from enforcing against the applicants the challenged provisions of the Patient Protection and Affordable Care Act and related regulations pending final disposition of their petition for certiorari. Nothing in this interim order affects the ability of the applicants or their organizations employees to obtain, without cost, the full range of FDA approved contraceptives. Nor does this order preclude the Government from relying on the

	information provided by the applicants, to the extent it considers it necessary, to facilitate the provision of full contraceptive coverage under the Act. See Wheaton College v. Burwell, 573 U. S. ___ (2014). This order should not be construed as an expression of the Courts views on the merits. Ibid. Justice Sotomayor would deny the application.
Jun 30 2015	Order extending time to file response to petition to and including August 3, 2015.
Jul 29 2015	Order further extending time to file response to petition to and including August 20, 2015.
Aug 20 2015	Brief of respondents Sylvia Burwell, Secretary of Health and Human Services, et al. in opposition filed. VIDED.
Aug 25 2015	Letter and attached Opinion of the United States Court of Appeals for the Sixth Circuit recei:ed from counsel for the respondent. VIDED.
Sep 8 2015	Reply of petitioners David A. Zubik, et al. filed.
Sep 18 2015	Supplemental brief of petitioners David A. Zubik, et al. filed.
Oct 1 2015	Letter dated September 30, 2015, received from counsel for the respondent. VIDED.
Oct 14 2015	DISTRIBUTED for Conference of October 30, 2015.
Nov 2 2015	DISTRIBUTED for Conference of November 6, 2015.
Nov 6 2015	Petition GRANTED limited to Question 1 presented by the petition. The motion of Association of American Physicians & Surgeons, et al. for leave to file a brief as amici curiae and the petition for a writ of certiorari in No. 14-1453 are granted. The petitions for writs of certiorari in Nos. 14-1505, 15-35, 15-119 and 15-191 are granted. The petition for a writ of certiorari in No. 15-105 is granted limited to Questions 1 and 2 presented by the petition. The cases are consolidated.
Nov 6 2015	Letter from The Clerk to counsel for the parties requesting a joint briefing proposal by 1 p.m., Monday, November 16, 2015. VIDED
Nov 16 2015	Briefing proposal of the parties received. VIDED
Nov 17 2015	The briefing proposal set forth in the parties letter of November 16, 2015, is adopted. Petitioners in Nos. 14-1418, 14-1453, and 14-1505 will file one consolidated opening brief and one reply brief. Petitioners in Nos. 15-35, 15-105, 15-119, and 15-191 will file one consolidated opening brief and one reply brief. Petitioner's opening briefs, not to exceed 20,000 words each, are to be filed on or before January 4, 2016. Respondents will file one consolidated brief, not to exceed 22,500 words, on or before February 10, 2016. Petitioner's reply briefs, not to exceed 8,000 words each, are to be filed on or before March 11, 2016. VIDED
Dec 7 2015	Joint motion for divided argument and enlargement of time for oral argument filed by petitioners. VIDED.
Dec 14 2015	Consent to the filing of amicus curiae briefs in support of either party or of neither party received from counsel for the respondents. VIDED
Dec 15 2015	Consent to the filing of amicus curiae briefs in support of either party or of neither party received, on behalf of all petitioners, in these consolidated cases. VIDED
Jan 4 2016	Joint appendix filed. (3 Volumes) (Statement of costs filed) VIDED.
Jan 4 2016	Brief of Petitioners in Nos. 15-35, 15-105, 15-119, & 15-191 filed. VIDED.
Jan 4 2016	Brief of Petitioners in Nos. 14-1418, 14-1453 & 14-1505 filed. VIDED.
Jan 5 2016	Brief amici curiae of Orthodox Jewish Rabbis filed. VIDED.
Jan 8 2016	Brief amici curiae of United States Conference of Catholic Bishops, at al. filed. VIDED.
Jan 8 2016	Brief amici curiae of CNS International Ministries, Inc. and Heartland Christian College filed. VIDED.
Jan 8 2016	Brief amicus curiae of the Breast Cancer Prevention Institute filed. VIDED.
Jan 10 2016	Brief amici curiae of Residents and Families of Residents at Homes of the Little Sisters of the Poor filed. VIDED.

Jan 11 2016	Brief amicus curiae of The School of the Ozarks, Inc. d/b/a College of the Ozarks filed. VIDED.
Jan 11 2016	Brief amicus curiae of Justice and Freedom Fund filed. VIDED.
Jan 11 2016	Brief amicus curiae of Ethics and Public Policy Center filed. VIDED.
Jan 11 2016	Brief amici curiae of Texas, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of Southern Baptist Theological Seminary, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of Christian Legal Society, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of Church of the Lukumi Babalu Aye, Inc., et al. filed VIDED
Jan 11 2016	Brief amici curiae of Christian and Missionary Alliance Foundation, Inc., et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of 207 Members of Congress filed. VIDED.
Jan 11 2016	Brief amici curiae of National Jewish Commission on Law and Public Affairs (COLPA) filed. VIDED.
Jan 11 2016	Brief amicus curiae of Eagle Forum Education & Legal Defense Fund, Inc. filed. VIDED.
Jan 11 2016	Brief amici curiae of Former Justice Department Officials filed. VIDED.
Jan 11 2016	Brief amici curiae of Cato Institute and Independent Women's Forum filed. VIDED.
Jan 11 2016	Brief amici curiae of National Association of Evangelicals, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of 50 Catholic Theologians and Ethicists filed. VIDED.
Jan 11 2016	Brief amici curiae of Association of American Physicians & Surgeons, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of Constitutional Law Scholars filed. VIDED.
Jan 11 2016	Brief amicus curiae of Women Speak for Themselves filed. VIDED.
Jan 11 2016	Brief amicus curiae of Liberty Counsel filed. VIDED.
Jan 11 2016	Brief amicus curiae of Council for Christian Colleges and Universities filed. VIDED.
Jan 11 2016	Brief amicus curiae of The Knights of Columbus filed. VIDED.
Jan 11 2016	Brief amici curiae of Bart Stupak, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of Dominican Sisters of Mary, Mother of the Eucharist, et al. filed. VIDED.
Jan 11 2016	Brief amicus curiae of Thomas More Law Center filed. VIDED.
Jan 11 2016	Brief amici curiae of ACNA Jurisdiction of the Armed Forces and Chaplaincy, et al. filed. VIDED.
Jan 11 2016	Brief amicus curiae of Eternal Word Television Network filed. VIDED.
Jan 11 2016	Brief amicus curiae of David Boyle filed. VIDED.
Jan 11 2016	Brief amici curiae of Thirteen Law Professors filed. VIDED.
Jan 11 2016	Brief amicus curiae of International Conference of Evangelical Chaplain Endorsers filed. VIDED.
Jan 11 2016	Brief amicus curiae of Concerned Women for America filed. VIDED.
Jan 11 2016	Brief amicus curiae of Michael J. New, Ph.D., Associate Scholar at the Charlotte Lozier Institute filed. VIDED.
Jan 11 2016	Brief amicus curiae of American Center for Law and Justice filed. VIDEO.
Jan 11 2016	Brief amici curiae of U.S. Justice Foundation, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of Carmelite Sisters of the Most Sacred Heart of Los Angeles, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of The Catholic Benefits Association, et al. filed. VIDED.
Jan 11 2016	Brief amici curiae of Religious Institutions filed. VIDED.
Jan 15 2016	Joint motion for divided argument and enlargement of time for oral argument GRANTED. VIDED
Jan 29 2016	SET FOR ARGUMENT ON Wednesday, March 23, 2016. VIDED
Feb 8 2016	Record requested from U.S.C.A. 3rd Circuit.
Feb 10 2016	CIRCULATED.
Feb 10 2016	Brief of respondents Sylvia Burwell, Secretary of Health and Human Services, et al. filed. VIDED. (Distributed)

Feb 10 2016	Brief amicus curiae of American Humanist Association filed. VIDED. (Distributed)
Feb 12 2016	Brief amici curiae of Harvard Law School Center for Health Law and Policy Innovation, et al. filed. VIDED. (Distributed)
Feb 16 2016	Brief amici curiae of American CivilLiberties Union, et al. filed. VIDED. .(Distributed)
Feb 16 2016	Brief amici curiae of Church-state Scholars filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of The Ovarian Cancer Research Fund Alliance, et al. (2 Volumes) filed. VIDED. (Distributed)
Feb 17 2016	Brief amicus curiae of Baptist Joint Committee for Religious Liberty filed. VIDED. (Distributed)
Feb 17 2016	Brief amicus curiae of Compassion & Choices filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of National Women's Law Center and 68 Other Organizations filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Norman Dorsen, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of American Jewish Committee, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of American College of Obstetricians and Gynecologists, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of National Latina Institute for Reproductive Health, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Catholics for Choice, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Former State Attorneys General, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Foreign and International Law Experts Lawrence O. Goslin, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of 240 students, Faculty, and staff at Religiously Affiliated Universities filed. VIDED. (Distributed)
Feb 17 2016	Brief amicus curiae of American Academy of Pediatrics filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Scholars of Religious Liberty Sarah Barringer Gordon, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Health Policy Experts filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Anti-Defamation League, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amicus curiae of Black Women's Health Imperative filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Guttmacher Institute, and Professor Sara Rosenbaum filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Lambda Legal Defense and Education Fund, Inc., et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of 123 Members of the United States Congress filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of Military Historians filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of The National Health Law Program, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of California, et al. filed. VIDED. (Distributed)
Feb 17 2016	Brief amicus curiae of Honorable Robert C. "Bobby" Scott filed. VIDED. (Distributed)
Feb 17 2016	Brief amici curiae of The Center for Inquiry, and American Atheists filed. VIDED. (Distributed)
Feb 19 2016	Record received from U.S.C.A. 3rd Circuit is electronic.
Mar 4 2016	Letter from counsel for the respondents with copy of C.A. 11th Circuit opinion attached. (Distributed) VIDED.
Mar 11 2016	Reply of Petitioners in Nos. 15-35, 15-105, 15-119, & 15-191 filed. VIDED. (Distributed)
Mar 11 2016	Reply of Petitioners in Nos. 14-1418, 14-1453 & 14-1505 filed. VIDED. (Distributed)
Mar 23 2016	Argued. For petitioners in Nos. 15-35, 15-105, 15-119 & 15-191: Paul D. Clement, Washington, D.C. For petitioners in Nos. 14-1418, 14-1453, & 14-1505: Noel Francisco, Washington, D.C. For respondents: Donald B. Verrilli, Jr., Solicitor General, Department of Justice, Washington, D.

	C.VIDED.
Mar 29 2016	The parties are directed to file supplemental briefs that address whether and how contraceptive coverage may be obtained by petitioner's employees through petitioner's insurance companies, but in a way that does not require any involvement of petitioners beyond their own decision to provide health insurance without contraceptive coverage to their employees. Petitioners with insured plans are currently required to submit a form either to their insurer or to the Federal Government (naming petitioner's insurance company), stating that petitioners object on religious grounds to providing contraceptive coverage. The parties are directed to address whether contraceptive coverage could be provided to petitioners+ employees, through petitioner's insurance companies, without any such notice from petitioners. For example, the parties should consider a situation in which petitioners would contract to provide health insurance for their employees, and in the course of obtaining such insurance, inform their insurance company that they do not want their health plan to include contraceptive coverage of the type to which they object on religious grounds.
Mar 29 2016	Petitioners would have no legal obligation to provide such contraceptive coverage, would not pay for such coverage, and would not be required to submit any separate notice to their insurer, to the Federal Government, or to their employees. At the same time, petitioner's insurance company. aware that petitioners are not providing certain contraceptive coverage on religious grounds. would separately notify petitioners+ employees that the insurance company will provide cost-free contraceptive coverage, and that such coverage is not paid for by petitioners and is not provided through petitioner's health plan. The parties may address other proposals along similar lines, avoiding repetition of discussion in prior briefing. The briefs, limited to a single brief 25 pages in length for petitioners, and a single brief 20 pages in length for respondents, are to be filed simultaneously with the Clerk and served upon counsel for the other parties on or before April 12, 2016. Reply briefs, limited to a single brief 10 pages in length for petitioners and for respondents, are to be filed simultaneously with the Clerk and served upon opposing counsel for the other parties on or before April 20, 2016. VIDED
Apr 12 2016	Supplemental brief of petitioners filed. VIDED. (Distributed)
Apr 12 2016	Supplemental brief of respondents Sylvia Burwell, Secretary of Health and Human Services, et. al. filed. VIDED. (Distributed)
Apr 20 2016	Supplemental reply brief of petitioners filed. VIDED. (Distributed
Apr 20 2016	Supplemental reply brief of respondents filed. VIDED. (Distributed)
May 16 2016	Judgment VACATED and case REMANDED. Opinion per curiam. Sotomayor, J., filed a concurring opinion, in which Ginsburg, J., joined. VIDED.
Jun 17 2016	JUDGMENT ISSUED